

T11 2024-12-02-01R

RESOLUTION BY THE BOARD OF DIRECTORS OF TAX INCREMENT REINVESTMENT ZONE NUMBER ELEVEN, CITY OF SAN ANTONIO, TEXAS, KNOWN AS THE INNER CITY TAX INCREMENT REINVESTMENT ZONE (“INNER CITY TIRZ”), APPROVING AN AMENDMENT TO THE CHAPTER 380 ECONOMIC DEVELOPMENT GRANT AGREEMENT FOR THE MIDCROWN PROJECT WITHIN THE INNER CITY TIRZ TO REALLOCATE UNUSED GRANT FUNDS FOR PUBLIC ENGAGEMENT, DESIGN, ENVIRONMENTAL REMEDIATION, AND SECURITY/BARRIER ENHANCEMENTS BENEFITING THE PROJECT SITE IN CITY COUNCIL DISTRICT 2.

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WHEREAS, the City of San Antonio (“City”) and the Inner City TIRZ Board of Directors (“Board”) support all programs which allow for economic development within its boundaries; and

WHEREAS, in accordance with the Tax Increment Financing Act, Texas Tax Code, Chapter 311 (the “Act”), the City through Ordinance No. 93101 established Tax Increment Reinvestment Zone Number Eleven, San Antonio, Texas, known as the Inner City TIRZ, to promote development and redevelopment which would not otherwise occur solely through private investment in the reasonably foreseeable future and created the Board and authorized the Board to exercise all the rights, powers, and duties as provided to such boards under the Act; and

WHEREAS, on June 20, 2024, City Council approved a Chapter 380 Economic Development Grant Agreement (the “Agreement”) with the San Antonio Housing Trust Public Facilities Corporation (“SAHT”), pursuant to Ordinance 2024-06-20-0499, to receive funding in the amount of \$2,916,000.00 from the City’s Tax Increment Financing Program (“TIF”) to undertake the purchase of land for a future affordable housing project at the intersection of Midcrown Dr. and Eisenhower Rd. San Antonio, TX 78218 (the “Property”), located within Council District 2; and

WHEREAS, SAHT was able to acquire the Property for \$2,525,982.50, such that funds were remaining after payment of the purchase price; and

WHEREAS, SAHT seeks to use the available funds to undertake public engagement, design, environmental remediation, and security/barrier enhancements in connection with the Property; and

WHEREAS, the TIF Division staff recommends that the Agreement be amended to allow SAHT to use the available funds for undertaking public engagement, design, environmental remediation, and security/barrier enhancements in connection with the Property; and

WHEREAS, in accordance with Section 311.010(b) of the Act, the Board is authorized to enter into agreements to dedicate revenue from the tax increment fund to purchase real property that benefits the Inner City TIRZ; and

WHEREAS, there is no additional funding with this request for a First Amendment to the Agreement, and all other terms remain the same; and

WHEREAS, the City and the Board desire to provide financial incentives for development and revitalization projects that benefit the City and the Inner City TIRZ and must now authorize the execution of the First Amendment to the Agreement, attached hereto in substantially final form as **Exhibit A**;

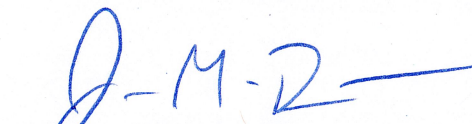
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF TAX INCREMENT REINVESTMENT ZONE NUMBER ELEVEN, THE INNER CITY TIRZ, CITY OF SAN ANTONIO, TEXAS:

SECTION 1. The recitals set out above are adopted in their entirety.

SECTION 2. The Board hereby authorizes the execution of the First Amendment to the Agreement, attached hereto in substantially final form as **Exhibit A**, to allow SAHT use of the funds to undertake public engagement, design, environmental remediation, and security/barrier enhancements in connection with the Property located at the intersection of Midcrown Dr. and Eisenhower Rd. San Antonio, TX 78218 within City Council District 2.


SECTION 3. The Board hereby authorizes the City to make necessary amendments to the Project Plan and Finance Plan to include this amendment.

PASSED AND APPROVED this 2nd day of December, 2024.



Councilman Jalen McKee-Rodriguez
Presiding Officer

APPROVED AS TO FORM:



Thomas Rice
Assistant City Attorney

EXHIBIT A

STATE OF TEXAS

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**FIRST AMENDMENT TO THE
CHAPTER 380 ECONOMIC
DEVELOPMENT GRANT
AGREEMENT FOR THE
MIDCROWN PROJECT**

COUNTY OF BEXAR

This First Amendment to the Chapter 380 Economic Development Grant Agreement for the Midcrown Project (“Agreement”) is entered into by and between the City of San Antonio (“City”), a Texas municipal corporation in Bexar County, Texas, the Board of Directors (“Board”) for Tax Increment Reinvestment Zone Number Eleven City of San Antonio, Texas, and San Antonio Housing Trust Public Facility Corporation (“Developer”), a non-profit corporation registered in the State of Texas. This Agreement refers to the City, the Board and Developer collectively as the “Parties” and singularly as the “Party.”

BACKGROUND:

WHEREAS, City and Developer entered into the Chapter 380 Economic Development Grant Agreement for the Midcrown Project (the “Grant Agreement”) authorized by City of San Antonio Ordinance No. 2024-06-20-0499, passed and approved on June 20, 2024, and attached hereto as **EXHIBIT A**.

WHEREAS, the Parties agree that the purpose of the Grant Agreement remains important to development within Tax Increment Reinvestment Zone Number Eleven City of San Antonio, Texas.

WHEREAS, the Board of Directors for Tax Increment Reinvestment Zone Number Eleven has reviewed and approved this Agreement.

NOW, THEREFORE, the Parties hereby agree and amend as follows:

1. The Parties mutually agree to amend the following sections of the Grant Agreement:

(A) : The **OPENING RECITALS** are hereby revised to include the following recitals:

WHEREAS, Developer was able to acquire the Project for \$ _____, such that funds were remaining after payment of the purchase price; and

WHEREAS, Developer seeks to use the available funds to undertake public engagement, design, and environmental remediation in connection with the Project; and

(B) **SECTION 2. TERMS AND CONDITIONS OF GRANT** is amended by deleting the entirety of Paragraph A and substituting the following in its place:

A. **Economic Development Program Grant.** As evidenced by the passage of Resolution T11 2024-05-30-01R by the Board of Directors of the Inner City Tax Increment Reinvestment Fund and Ordinance No. 2024-06-20-0499 passed by the San Antonio City Council on June 20, 2024, City has agreed to provide Developer with a grant from the Inner City Tax Increment Reinvestment Fund in the aggregate amount of Two Million Nine Hundred Sixteen Thousand Dollars and No Cents (\$2,916,000.00) in connection

with financing the Project and undertaking public engagement, design, and environmental remediation in connection with the Project.

2. All other terms, conditions, covenants and provisions of the Grant Agreement are hereby continued and shall remain in effect in their original form, except for the provisions expressly modified by this Agreement.

EXECUTED BY THE PARTIES IN DUPLICATE ORIGINALS, each of which shall have the full force and effect of an original on this the ____ day of _____, 2024.

CITY OF SAN ANTONIO,
a Texas Municipal Corporation

BOARD OF DIRECTORS
Inner City TIRZ #11

Erik Walsh
CITY MANAGER
Date: _____

Councilman Jalen McKee-Rodriguez
BOARD CHAIR
Date: _____

SAN ANTONIO HOUSING TRUST
PUBLIC FACILITY CORPORATION

Pedro Alanis
ASSISTANT SECRETARY
Date: _____

APPROVED AS TO FORM:

ASSISTANT CITY ATTORNEY

EXHIBIT A